

REMARKS

By the foregoing amendment, claims 1, 11, 16, 18, and 19 have been amended and claims 2, 5, and 6 have been canceled, and claims 19-31 have been added. Currently claims 1, 3, 4, and 7-20 are pending. Support for the amended claims can be found throughout the specification. For example, support for the amendment to claim 1, can be found in paragraph [0059] of U.S. Patent Application Publication No. 2007/0093583 A1, which is the published version of the present application and further in previous claims 2, 5, and 6. The amendment to claim 11 corrects the display of the viscosity symbol. The amendment to claim 16 to include polycarbonate resin as a thermoplastic resin is also supported by canceled claim 6 in light of claim 1. Support for the amendment to claim 18 regarding the term "kitchen product" can be found in paragraph [0116] of U.S. Patent Application Publication No. 2007/0093583 A1. Claim 19 has been amended for a grammatical reason.

**Formal Matters**

Applicant notes with appreciation that the Office has acknowledged the claim of priority under 35 U.S.C. § 119 and confirms that the Office has received all copies of the certified copies of the priority documents from the International Bureau.

Furthermore, Applicant thanks the Examiner for consideration of the documents submitted in the Information Disclosure Statements filed on September 21, 2006 and October 10, 2007. However, Applicant notes the Examiner has not considered the document submitted in the Information Disclosure Statement of February 28, 2008. In response, Applicant herewith submits a new Form PTO-1449, which properly identifies the submitted documents of February 28, 2008.

Furthermore, Applicant also submits another print out of the machine translation for JP 11-100516 as available on Patent Abstract of Japan website, which identifies the Japanese document on the first page. Applicant notes that since all the documents listed on the Form PTO-1449, namely JP 11-100516, an English language abstract thereof (provided by CAPlus), and a machine-prepared English translation thereof are already of record and retrievable on the PAIR website, no fee for their consideration should be required. However, if a fee should be deemed necessary, the Examiner is hereby authorized to charge Deposit Account 19-0089 any fee necessary to ensure the consideration of the submitted materials and the pendency of this application. Applicant respectfully requests that the Examiner indicate consideration of these documents by returning a signed and initialed copy of the Form PTO-1449 with the next communication.

### **Claim Objections**

The Office Action objects to Claim 11 for not properly displaying the viscosity symbol. In view of the above amendment, Applicant respectfully requests withdrawal of this rejection.

The Office Action objects to claim 19 for allegedly failing to further limit the subject matter of the previous claim.

Applicant respectfully traverses this objection. Applicant submits that all elements of claim 19, namely “a washroom counter, a kitchen counter, a bathtub, a wash bowl, a hand-wash bowl, a toilet counter, or a cabinet counter top” further define the products listed in previous claim 18, namely “a bath product, a washroom product, a toilet product, a kitchen product, or a sink product.” For example, a wash bowl is a specific item falling into the group of sink products. The same is

valid for a hand-wash bowl. Furthermore, a toilet counter is a specific item of a toilet product.

In view of the above amendments and the forgoing remarks, withdrawal of these objections is requested.

**Claim Rejections under 35 U.S.C. § 112, second paragraph**

The Office Action rejects claims 18 and 19 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite over the term “A molded article.” The Action asserts that it is unclear whether the molded article in claim 18 is the molded article of claim 17. Secondly, the Office asserts that the kitchen counter of claim 19 does not have sufficient antecedent basis in parent claim 18.

In view of the foregoing amendments, Applicant respectfully submits that claim 18 has been amended to render claims 18 and 19 even more clear and definite. Withdrawal of this rejection is respectfully requested.

**Claim Rejections under 35 U.S.C. § 103(a)**

The Office rejects claims 1-17, and 20 under 35 U.S.C. § 103(a) as being obvious over Matsumoto et al. (U.S. Patent No. 6,174,943) in view of Houck et al. (Forensic Science Communications) and/or the Nexant publication (see Office Action at page 3, paragraph 8). The Office further rejects claims 18 and 19 under 35 U.S.C. § 103(a) over Matsumoto et al. in view of Watanabe et al. (U.S. Patent No. 6,447,913). Furthermore, the Office rejects claims 1-7, 11, and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al. (U.S. Patent No. 5,302,645) in view of Houck et al. and/or Nexant..

By the foregoing amendment, Applicant respectfully submits that neither Matsumoto in view of Houck and/or Nexant nor Nakano in view of Houck and/or Nexant render the present invention obvious. As the Examiner is aware, to render an invention obvious all elements of the claims have to be present or suggested in the cited documents. Applicant respectfully submits that Matsumoto, Houck, Nexant, and Nakano, either alone or in their asserted combinations fail to present or suggest:

A polytrimethylene terephthalate reinforced resin composition comprising 100 parts by weight of resin components consisting of 97.2 to 70 parts by weight of a polytrimethylene terephthalate resin (A1), 2.5 to 29.7 parts by weight of a polycarbonate resin (A2) and 0.3 to 10 parts by weight of an epoxy resin (B), and 5 to 300 parts by weight of a crystalline inorganic filler (C).

Applicant submits that none of the primary references of the obviousness rejections, i.e., Matsumoto or Nakano, discloses or suggests a polytrimethylene terephthalate (PTT) resin as recited in present claim 1. With respect to Nakano, the Office asserts that Nakano enumerates “a variety of other kinds of copolymerization components which may be included, (col 2 line 15-33) which allow for slight alterations in the formula” (Office Action, Page 10). The Examiner concludes that the polyethylene terephthalate (PET) can be replaced by PTT and relies on Houck and/or Nexant to cure this deficiency.

Applicant respectfully submits that “the variety of other kinds of copolymerization components” as asserted by the Action does not suggest to one of ordinary skill in the art to exchange PET with PTT. Applicant notes that Nakano is unmistakably clear in column 2, lines 9-45 when describing the variety of Component (A). The main ingredient of Nakano’s Component (A) is PET containing up to 30 mol% of other kinds of dicarboxylic acid, glycol, or ester-forming

derivatives (Col 2, lines 16-18). Applicant submits that there is nothing in Nakano et al. that would suggest to one of ordinary skill in the art to replace Component (A) completely (100%) with another polymer. Actually, Applicant notes that the fact that Nakano et al. describes the variety of other kinds of copolymerization components in a mixture with PET teaches away from the present invention. If relying on Nakano et al., a skilled artisan would be prompted to mix “a variety of other kinds of copolymerization components” with a polymer resin. As a result, one of ordinary skill in the art would never arrive at the present invention which has a single polymer, namely PTT as Component (A).

Furthermore, in view of Nakano’s emphasis on PET as Component (A), Applicant submits that there is nothing in Nakano that would prompt or motivate one of ordinary skill to combine Nakano with Houck and/or Nexant. Applicant notes that the Examiner’s assertion that PET is chemically similar to PTT implies only that the Nakano and Houck *can* be combined. However, as the Examiner surely knows, the fact that documents can be combined is not sufficient to establish a *prima facie* case of obviousness.

In view of the foregoing, Applicant submits that Nakano et al. in view of Houck and/or Nexant fail to render claims 1-7, 11, and 14-17 obvious. Withdrawal of this rejection is respectfully requested.

With respect to Matsumoto in view of Houck and/or Nexant, Applicant submits that in view of the foregoing amendment, Matsumoto et al. fails to render claims 1-17 and 20 obvious. Applicant submits that Matsumoto discloses a maximum content of 50 parts of an aromatic polyester resin, of

which terephthalate resins are included. Present claim 1 recites a polytrimethylene terephthalate of at least 70 parts by weight. Applicant submits that Houck and/or Nexant do not cure this deficiency as these references are silent to any composition.

Furthermore, with respect to the rejections of claims 18 and 19 over Matsumoto et al. in view of Watanabe et al., Applicant submits that Watanabe teaches away from a terephthalate resin above 70 weight% (see Watanabe Table 2, Comparative Examples 1 and 2) as these compositions performed poorly according to Watanabe. Therefore, Matsumoto in view of Watanabe would not render parent claim 1 obvious.

In view of the foregoing, Applicant respectfully requests that all rejections with respect to Matsumoto et al. be withdrawn.

In addition to the above remarks, Applicant respectfully submits the following to further illustrate differences between the cited documents and the present invention.

Houck and Nexant describe PTT shortly prior to the filing of the present application. However, Houck discloses PTT as a fiber, thereby writing for and about the application of this fiber to the textile industry. Therefore, any properties of PTT fibers in this regard relate to the purposes, tendencies, and intentions of the textile industry and should be carefully analyzed when evaluating them to another technical area such as the one in which the present application resides. The present invention relates to PTT composition including an organic filler, further providing a molded article that has good appearances and excellent surface hardness. These properties can not be concluded

from the contents of a paper on textile fibers even when the fiber contains PTT. Thus, a person of ordinary skill in the art would not recognize the advantageous aspects of the present invention when viewing Houck and/or Nexant.

Matsumoto relates to flame-retardant thermoplastic resin compositions comprising (A) polycarbonate 99-50 parts by weight, (B) an aromatic polyester 1-50 parts by weight, and (C) a silicate compound. As described above, Matsumoto's resin is different from the presently claimed PTT composition with respect to the ratio of the polycarbonate (A) and the aromatic polyester (B). Furthermore, in order to achieve excellent appearance, surface hardness, and chemical resistance in the present invention, the specific composition ratio of polyester and polycarbonate as recited in claim 1 is necessary.

Nakano relates to a resin composition comprising (A) polyethylene terephthalate (PET) of 100 parts by weight, (B) an epoxy resin between 1 and 25 parts by weight, (C) a thermoplastic resin of 10 to 50 parts by weight, and (F) a glass fiber of 5 to 150 parts by weight. The object of Nakano is to provide the resin composition to have thermal stability. In the present invention, the PTT resin composition requires an inorganic filler which excludes glass fibers. Such PTT resin compositions have excellent rigidity and surface hardness. Furthermore, these PTT resin compositions have excellent appearance which cannot be produced by employing glass fibers. Applicant directs the Examiner's attention to the present specification where the appearance (Gs20°) of the PTT compositions of Examples 1 and 2 in the absence of glass fibers are much more favorable than the appearance of those compositions of Comparative Examples 3 and 4 in the presence of glass fibers. Applicant notes that it would be difficult if not impossible to obtain molded article with the same

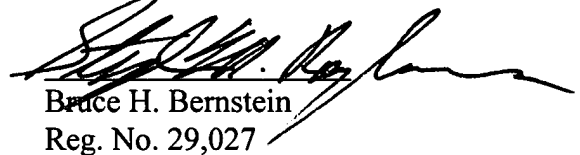
appearance if one of ordinary skill would employ the PET resin compositions of Nakano.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested. If any issues yet remain which can be resolved by a telephone conference, the Examiner is respectfully invited to telephone the undersigned at the telephone number below.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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Enclosures: Form PTO-1449 of Supplemental Information Disclosure Statement filed  
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